

Reply of Government.—(1), (2) and (3)—The Municipal Councils may be moved to propose the necessary amendments and on receipt of their resolution, they will be considered.

Regarding representation (4) Government observed that such cases as were referred to by Mr. Rangaiengar must be very rare and that no amendment was necessary as the municipal councils were empowered to frame rules.

SUBJECT NO. 20.

Amendment of the Land Revenue Code.

Messrs. S. Ramanna, Hassan Municipality; M. Lakshminarasimha-
char, Hassan Taluk; K. Shankara-
narayana Rao, Shimoga Municipa-
lity; S. R. Balakrishna Rao, Nagar
Sabha; Revanasiddaiya, Honnali
Taluk; Veene Rangaswamiengar,
Seringapatam Taluk; and B.
Narasinga Rao, Seringapatam
Municipality.

Summary of discussion.—(a) Under Section 310 A of the Civil Procedure Code, civil courts set aside sales when applications are made by persons interested in the property sold on their depositing in court the decree amount with 5 per cent interest, if applications are made within 30 days. A similar section may be introduced into the Land Revenue Code, so as to prevent fraudulent sales and unnecessary litigation and to put an end to a number of unnecessary complications occurring in almost all sales for arrears of revenue.

(b) In the case of lands sold for arrears of revenue, the Revenue Law provides that the party who is declared to be the purchaser should deposit immediately twenty-five per cent on the amount of his bid, the balance being paid before sunset of the 15th day from that on which the sale takes place. Owing to non-confirmation of such sales in the majority of cases for some reason or other, the purchase money is being returned to the party concerned. This has caused much inconvenience and loss. It is therefore prayed that orders may be issued to recover the remaining amount of the purchase money only after intimation is given to the parties of the confirmation of the sale.

(a) Several members spoke in favour of enacting a section in the Land Revenue Code analogous to Section 310 A of the Code of Civil Procedure on the ground that it would prevent fraudulent sales of immoveable property. Mr. A. Annaiya Pandit said that the rate of interest to be paid by the defaulter in such cases might even be raised to ten per cent. The Dewan desired to know the opinion of the members of the Assembly interested in or having experience of the collection of Land Revenue. In response, Mr. Venkataramaiya of Manjarabad stated that, as it was, it is very difficult to make prompt collections of revenue as an elaborate and tedious procedure had to be adopted before immovable property could be brought to sale; that, even when sales were held, frequently they were defeated by collusion and fraudulent combination among the villagers; that people did not readily come forward to bid at auction sales as their confirmation by the proper authorities took a very long time; and that, if the confidence in such sale

was further weakened by the contingency of the sale being set aside by the defaulter paying up the arrears within thirty days after the date of sale, the Government must be prepared to face very great difficulties in the work of collecting land revenue. It was also stated that if the course suggested was adopted, it might become necessary to resort, in an increasing measure, to the provisions of the Land Revenue Code regarding precautionary measures for the security of the land revenue. Another member said that there were other sections in the Land Revenue Code under which revenue sales could be set aside on grounds which did not apply to civil court sales, and that consequently there was no necessity to transfer the provision in the Civil Procedure Code to the Land Revenue Code.

Reply of Government.—Why should not a defaulter pay up the arrears before the sale when, *ex hypothesi* he can do so within only thirty days after? This is a point which has not been adequately discussed. However, the question will be noted for consideration.

(b) Withdrawn.

SUBJECT No. 21.

Rules to prohibit driving of carts without lights.

Messrs. N. D. Naranappa, Hassan Municipality; Scowell, Bangalore Taluk; Crawford, S. M. Planters' Association; and Fowke, N. M. Planters' Association.

Summary of discussion.—Carts passing on high roads during dark nights do not carry lights. Consequently there is danger to the carts coming in the opposite direction. It is prayed that strict rules may be framed making such driving penal.

Note:—Mr. Naranappa, Hassan Municipality added that the omission by cartmen to carry lights was responsible for many accidents on the highways and that driving without light on dark nights should be prohibited. Messrs. Scowell, Crawford and Fowke also spoke supporting the proposal.

Reply of Government.—There are many difficulties in the way of enforcing such a rule on the highways. The representation will, however, be noted for consideration. We are making a beginning by applying the provisions of Section 56 of the Police Regulation in municipal areas.

SUBJECT No. 22.

A Regulation against smoking.

Messrs. Agali Venkataramaiya, Sira Taluk; and T. Subbarayappa, Chikballapur Taluk.

Summary of discussion.—An act should be passed prohibiting young boys from smoking. Government were pleased to order in 1907 that the subject was noted for consideration. Early orders may be passed.

Reply of Government.—A bill has been prepared and is under consideration. An early decision will be arrived at.